

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NAPLETON'S ARLINGTON HEIGHTS MOTORS, INC. f/k/a NAPLETON'S PALATINE MOTORS, INC. d/b/a NAPLETON'S ARLINGTON HEIGHTS CHRYSLER DODGE JEEP RAM, an Illinois corporation; NAPLETON'S RIVER OAKS MOTORS, INC. d/b/a NAPLETON'S RIVER OAKS CHRYSLER DODGE JEEP RAM, an Illinois corporation; CLERMONT MOTORS, LLC d/b/a NAPLETON'S CLERMONT CHRYSLER DODGE JEEP RAM, an Illinois limited liability company; NAPLETON'S NORTH PALM AUTO PARK, INC. d/b/a NAPLETON'S NORTHLAKE CHRYSLER DODGE JEEP RAM, an Illinois corporation; NAPLETON ENTERPRISES, LLC d/b/a NAPLETON'S SOUTH ORLANDO CHRYSLER DODGE JEEP RAM, an Illinois limited liability company; NAPLETON'S MID RIVERS MOTORS, INC. d/b/a NAPLETON'S MID RIVERS CHRYSLER DODGE JEEP RAM, an Illinois corporation; NAPLETON'S ELLWOOD MOTORS, INC. d/b/a NAPLETON'S ELLWOOD CHRYSLER DODGE JEEP RAM, an Illinois corporation,

Plaintiffs,

v.

FCA US LLC, a Delaware corporation, and
FCA REALTY LLC, a Delaware limited liability corporation, f/k/a CHRYSLER GROUP REALTY COMPANY, LLC,

Defendants.

Case No. 1:16-cv-00403-VMK-SMF

DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT

PLEASE TAKE NOTICE that Defendants FCA US LLC ("FCA") and FCA REALTY LLC ("FCAR"), by and through their attorneys, hereby move this Court pursuant to Federal Rules of Civil Procedure 8(a), 9(b), 12(b)(1), and 12(b)(6) to dismiss Plaintiffs' Amended Complaint in its entirety and with prejudice.

As grounds for their motion, Defendants state that each of the plaintiffs fail to state any claims upon which relief can be granted, including jurisdictional standing under civil RICO, and fail to plead fraud claims with the required particularity. Defendants also rely on the accompanying Memorandum of Law and Declaration of Robert D. Cultice in support of their Motion to Dismiss Plaintiffs' Amended Complaint.

WHEREFORE, Defendants respectfully request that this Court GRANT this motion and DISMISS Plaintiffs' Amended Complaint with prejudice.

Dated: March 24, 2016

/s/ Robert D. Cultice
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Attorneys for Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this document filed through the CM/ECF system will be served upon counsel for Plaintiffs electronically through the CM/ECF system on March 24, 2016.

/s/ Robert D. Cultice

Robert D. Cultice (*admitted pro hac vice*)

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